

SENATE JOINT RESOLUTION NO. 19

INTRODUCED BY STORY, KEATING

IN THE SENATE

MARCH 27, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON NATURAL RESOURCES.
	FIRST READING.
MARCH 30, 1989	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
MARCH 31, 1989	PRINTING REPORT.
	SECOND READING, DO PASS.
APRIL 1, 1989	ENGROSSING REPORT.
APRIL 3, 1989	THIRD READING, PASSED. AYES, 46; NOES, 4.
	TRANSMITTED TO HOUSE.

IN THE HOUSE

APRIL 4, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON NATURAL RESOURCES.
	FIRST READING.
APRIL 11, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN AS AMENDED. REPORT ADOPTED.
APRIL 12, 1989	SECOND READING, CONCURRED IN.
APRIL 14, 1989	THIRD READING, CONCURRED IN. AYES, 94; NOES, 4.
	RETURNED TO SENATE WITH AMENDMENTS.

IN THE SENATE

APRIL 18, 1989	RECEIVED FROM HOUSE.
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APRIL 19, 1989

SECOND READING, AMENDMENTS
CONCURRED IN.

THIRD READING, AMENDMENTS
CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 *Senate* JOINT RESOLUTION NO. 19

2 INTRODUCED BY *Story*

3
4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
5 REPRESENTATIVES OF THE STATE OF MONTANA DIRECTING THE
6 ENVIRONMENTAL QUALITY COUNCIL TO STUDY THE REGULATION AND
7 MANAGEMENT OF SOLID WASTE AND RELATED EFFECTS ON GROUND
8 WATER QUALITY; AND REQUIRING THE ENVIRONMENTAL QUALITY
9 COUNCIL TO REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE
10 52ND LEGISLATURE.

11
12 WHEREAS, the 51st Legislature has considered many
13 complex bills relating to the regulation and management of
14 solid and related liquid wastes, including landfill
15 regulation and associated ground water monitoring,
16 infectious waste disposal, and fee structures and funding
17 mechanisms for solid waste management programs; and

18 WHEREAS, the United States Environmental Protection
19 Agency has recently released proposed minimum federal
20 regulations for landfills, prompted by studies that
21 demonstrated significant nationwide ground water pollution
22 caused by substances leaching from landfills; and

23 WHEREAS, these proposed regulations, if adopted as
24 drafted, would have major effects on the management of solid
25 wastes in Montana, since both the technical and financial

1 resources to respond are severely inadequate; and

2 WHEREAS, out-of-state waste disposal interests are
3 increasingly investigating Montana as a potential site for
4 disposal of waste generated outside Montana's borders; and
5 WHEREAS, there are currently no state regulations or
6 oversight of the importation of solid waste into Montana;
7 and

8 WHEREAS, opportunities exist to explore new methods of
9 integrated waste management, including waste minimization,
10 recycling, incineration, and other innovative techniques;
11 and

12 WHEREAS, financing strategies for continued, improved,
13 and cost-effective management of solid and related liquid
14 wastes must be explored to effectively respond to increased
15 federal activity and needed changes to protect the health
16 and environment of Montana citizens.

17
18 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE
19 OF REPRESENTATIVES OF THE STATE OF MONTANA:

20 (1) That the Environmental Quality Council be directed
21 to give priority to and study the regulation and management
22 of solid and related liquid waste and its effects on ground
23 water quality.

24 (2) That the study include investigation and oversight
25 of:

- 1 (a) the effects on Montana communities of the proposed
2 federal regulation of landfills;
- 3 (b) programs to regulate the disposal of infectious
4 waste in Montana;
- 5 (c) regulation of the importation of solid waste into
6 Montana;
- 7 (d) monitoring of actual and potential ground water
8 pollution resulting from solid waste disposal;
- 9 (e) new opportunities for waste minimization,
10 recycling, incineration, and integrated waste management;
- 11 (f) financing strategies for the most cost-effective
12 federal, state, local, and private response to solid waste
13 management needs; and
- 14 (g) the integration of solid waste management programs
15 with other ground water protection programs.
- 16 (3) That the Environmental Quality Council consult
17 with federal, state, and local officials, regulated
18 industries, interested citizens, and other persons or groups
19 with expertise in the regulation of solid waste.
- 20 (4) That the Environmental Quality Council report its
21 findings and recommendations to the 52nd Legislature by
22 November 1, 1990.

-End-

APPROVED BY COMM. ON
NATURAL RESOURCES

1 *Senate* JOINT RESOLUTION NO. 19
2 INTRODUCED BY Story *Fattery*
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- 12 federal, state, local, and private response to solid waste
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- 14 (g) the integration of solid waste management programs
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- 16 (3) That the Environmental Quality Council consult
- 17 with federal, state, and local officials, regulated
- 18 industries, interested citizens, and other persons or groups
- 19 with expertise in the regulation of solid waste.
- 20 (4) That the Environmental Quality Council report its
- 21 findings and recommendations to the 52nd Legislature by
- 22 November 1, 1990.

-End-

1 *Senate* JOINT RESOLUTION NO. 19

2 INTRODUCED BY *Story*

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3
4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
5 REPRESENTATIVES OF THE STATE OF MONTANA DIRECTING THE
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3 increasingly investigating Montana as a potential site for
4 disposal of waste generated outside Montana's borders; and

5 WHEREAS, there are currently no state regulations or
6 oversight of the importation of solid waste into Montana;
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8 WHEREAS, opportunities exist to explore new methods of
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11 (f) financing strategies for the most cost-effective
12 federal, state, local, and private response to solid waste
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14 (g) the integration of solid waste management programs
15 with other ground water protection programs.

16 (3) That the Environmental Quality Council consult
17 with federal, state, and local officials, regulated
18 industries, interested citizens, and other persons or groups
19 with expertise in the regulation of solid waste.

20 (4) That the Environmental Quality Council report its
21 findings and recommendations to the 52nd Legislature by
22 November 1, 1990.

-End-

STANDING COMMITTEE REPORT

April 10, 1989

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Mr. Speaker: We, the committee on Natural Resources report that Senate Joint Resolution 19 (third reading copy -- blue) be concurred in as amended.

Signed: _____

Bob Raney
Bob Raney, Chairman

[REP. *RANEY* WILL CARRY THIS BILL ON THE HOUSE FLOOR]

And, that such amendments read:

1. Title, line 8.
Following: "QUALITY"
Insert: "AND AIR QUALITY"
2. Page 1, line 14.
Strike: "and related liquid"
3. Page 1, line 16.
Following: "disposal,"
Insert: "waste incineration and incinerator emissions,"
4. Page 1, line 25.
Strike: "both"
Insert: "Montana has not applied"
5. Page 2, line 1.
Strike: "to" through "inadequate"
Insert: "necessary to ensure that solid waste management is compatible with the public health, safety, and welfare and the environment"
6. Page 2, line 5.
Strike: "no"
Insert: "few"
Strike: "or"
Insert: "and little"
7. Page 2.
Following: line 7
Insert: " WHEREAS, the burning of plastic and other materials in

solid waste incinerators is a source of toxic air pollutants which, despite their adverse effects on human health and the environment, are poorly understood and little regulated by the state or federal governments; and

WHEREAS, Montana statutes presently exempt from licensing certain privately owned landfills and this exemption provides a significant gap in our ability to ensure that solid waste management adequately protects the public health, safety, and welfare and the environment; and"

8. Page 2, line 9.
Following: "minimization,"
Insert: "source separation,"
9. Page 2, line 13.
Strike: "and related liquid"
10. Page 2, line 22.
Strike: "and related liquid"
11. Page 2, line 24.
Strike: "investigation and oversight"
Insert: "review"
12. Page 3, line 7.
Strike: "monitoring of"
13. Page 3, line 9.
Following: "minimization,"
Insert: "source separation,"
14. Page 3, line 11.
Strike: "financing"
Following: "for"
Insert: "developing and financing"
Following: "cost-effective"
Insert: "and environmentally sound"
15. Page 3, line 12.
Following: "to"
Insert: "Montana's"
16. Page 3, line 13.
Strike: "and"
17. Page 3, line 15.
Following: "programs"
Insert: "; (h) differences in the regulation of public and

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Page 3 of 1

private landfills, including the effects on the public health, safety, and welfare and the environment of the existing exemption from licensing for certain landfills; and
(i) the effects of solid waste incineration on Montana air quality and public health"

18. Page 3, line 17.
Strike: "regulated"

19. Page 3, line 18.
Strike: "interested"

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INTRODUCED BY STORY, KEATING

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA DIRECTING THE ENVIRONMENTAL QUALITY COUNCIL TO STUDY THE REGULATION AND MANAGEMENT OF SOLID WASTE AND RELATED EFFECTS ON GROUND WATER QUALITY AND AIR QUALITY; AND REQUIRING THE ENVIRONMENTAL QUALITY COUNCIL TO REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE 52ND LEGISLATURE.

WHEREAS, the 51st Legislature has considered many complex bills relating to the regulation and management of solid ~~and--related--liquid~~ wastes, including landfill regulation and associated ground water monitoring, infectious waste disposal, WASTE INCINERATION AND INCINERATOR EMISSIONS, and fee structures and funding mechanisms for solid waste management programs; and

WHEREAS, the United States Environmental Protection Agency has recently released proposed minimum federal regulations for landfills, prompted by studies that demonstrated significant nationwide ground water pollution caused by substances leaching from landfills; and

WHEREAS, these proposed regulations, if adopted as drafted, would have major effects on the management of solid

wastes in Montana, since both MONTANA HAS NOT APPLIED the technical and financial resources ~~to--respond--are--severely inadequate~~ NECESSARY TO ENSURE THAT SOLID WASTE MANAGEMENT IS COMPATIBLE WITH THE PUBLIC HEALTH, SAFETY, AND WELFARE AND THE ENVIRONMENT; and

WHEREAS, out-of-state waste disposal interests are increasingly investigating Montana as a potential site for disposal of waste generated outside Montana's borders; and

WHEREAS, there are currently no FEW state regulations ~~or~~ AND LITTLE oversight of the importation of solid waste into Montana; and

WHEREAS, THE BURNING OF PLASTIC AND OTHER MATERIALS IN SOLID WASTE INCINERATORS IS A SOURCE OF TOXIC AIR POLLUTANTS WHICH, DESPITE THEIR ADVERSE EFFECTS ON HUMAN HEALTH AND THE ENVIRONMENT, ARE POORLY UNDERSTOOD AND LITTLE REGULATED BY THE STATE OR FEDERAL GOVERNMENT; AND

WHEREAS, MONTANA STATUTES PRESENTLY EXEMPT FROM LICENSING CERTAIN PRIVATELY OWNED LANDFILLS, AND THIS EXEMPTION PROVIDES A SIGNIFICANT GAP IN OUR ABILITY TO ENSURE THAT SOLID WASTE MANAGEMENT ADEQUATELY PROTECTS THE PUBLIC HEALTH, SAFETY, AND WELFARE AND THE ENVIRONMENT; AND

WHEREAS, opportunities exist to explore new methods of integrated waste management, including waste minimization, SOURCE SEPARATION, recycling, incineration, and other innovative techniques; and

1 WHEREAS, financing strategies for continued, improved,
2 and cost-effective management of solid and-related-liquid
3 wastes must be explored to effectively respond to increased
4 federal activity and needed changes to protect the health
5 and environment of Montana citizens.

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7 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE
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10 to give priority to and study the regulation and management
11 of solid and-related-liquid waste and its effects on ground
12 water quality.

13 (2) That the study include investigation-and-oversight
14 REVIEW of:

15 (a) the effects on Montana communities of the proposed
16 federal regulation of landfills;

17 (b) programs to regulate the disposal of infectious
18 waste in Montana;

19 (c) regulation of the importation of solid waste into
20 Montana;

21 (d) monitoring--of actual and potential ground water
22 pollution resulting from solid waste disposal;

23 (e) new opportunities for waste minimization, SOURCE
24 SEPARATION, recycling, incineration, and integrated waste
25 management;

1 (f) financing strategies for DEVELOPING AND FINANCING
2 the most cost-effective AND ENVIRONMENTALLY SOUND federal,
3 state, local, and private response to MONTANA'S solid waste
4 management needs; and

5 (g) the integration of solid waste management programs
6 with other ground water protection programs;

7 (H) DIFFERENCES IN THE REGULATION OF PUBLIC AND
8 PRIVATE LANDFILLS, INCLUDING THE EFFECTS ON THE PUBLIC
9 HEALTH, SAFETY, AND WELFARE AND THE ENVIRONMENT OF THE
10 EXISTING EXEMPTION FROM LICENSING FOR CERTAIN LANDFILLS; AND

11 (I) THE EFFECTS OF SOLID WASTE INCINERATION ON MONTANA
12 AIR QUALITY AND PUBLIC HEALTH.

13 (3) That the Environmental Quality Council consult
14 with federal, state, and local officials, regulated
15 industries, interested citizens, and other persons or groups
16 with expertise in the regulation of solid waste.

17 (4) That the Environmental Quality Council report its
18 findings and recommendations to the 52nd Legislature by
19 November 1, 1990.

-End-